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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/750,489	12/26/2000	Alan T. Yaung	STL000044US1	5889

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EXAMINER
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NGUYEN, VAN H

ART UNIT	PAPER NUMBER
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2126

DATE MAILED: 08/13/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/750,489	YAUNG, ALAN T.	
	<b>Examiner</b>	<b>Art Unit</b>	
	VAN H NGUYEN	2126	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 23 April 2004.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-38 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-38 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

1. Claims 1-38 are presented for examination.

#### ***Claim Objections***

2. Claim 28 is objected to because of the following informalities:

“an occurance” (line 13) should read “an occurrence”

Appropriate correction is required.

#### ***Claim Rejections - 35 USC § 112***

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claim 28-34 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The phrase “said content identifiers” (claim 28, line 12) lacks antecedent basis. Claim 28 has no “content identifiers” phrase that defines or supports the given reference.

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which the subject matter pertains. Patentability shall not be negated by the manner in which the invention was made

6. Claims 1-38 rejected under 35 U.S.C. 103(a) as being unpatentable over **Boudou et al.** (U.S.6,009,472) in view of **Beck et al.** (U.S. 6,742,050).

7. As to claim 1, Boudou teaches the invention substantially as claimed including a method for communication between a first computer and a second computer (see abstract), the method comprising:

under control of a first application at the first computer (e.g., at least a first node...each of which has a module for communication with another node; col. 2, lines 63-66),

creating a message (e.g., the message...is emitted by a processor of the first node; col.3, lines 1-12), wherein the message comprises, among other things, and an event notification with zero text and zero content identifier (e.g., to notify the node Nx... the node Ny sends the read command message MESS-REQ to the node Nx, using the message enqueueing routine condition of the nodes; col.20, lines 6-13); and

putting the message into a message queue (e.g., it is stored in a queue of messages; col.3, lines 6-12; col.14, lines 25-35; and col.15, lines 33-35);

Art Unit: 2126

under control of a second application at the second computer (e.g., a second node... has a module for communication with another node; col. 2, lines 63-66), retrieving the message from the message queue (e.g., retrieves the message from the queue; col.3, lines 6-12 ; col.14, lines 25-35; and col.15, lines 33-35).

Boudou does teach a second computer connected to the first computer (e.g., the nodes N are linked to one another; col.4, lines 12-27 and fig.1), but is silent on the connection of the first and second computers with a server.

Beck teaches the first and second computers connected to a server computer (fig.1 and associated text).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Beck and Boudou because Beck's teaching would have provided the capability for managing network resources in the multinodal information system.

8. As to claim 2, Boudou teaches text comprises a string of alphanumeric characters (col.1, lines 31-33).

9. As to claim 3, Boudou teaches a content identifier comprises an item identifier (col.17, lines 5-65). Boudou, however, is silent on a server name. Beck teaches a server name (col.6, lines 32).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Beck and Boudou because Beck's teaching would have provided the capability for allowing the receiving node to control the flow of data it

receives so that it can process them without a loss of data and without a reduction in the performance of the receiving node.

10. As to claim 4, Boudou teaches the message comprises an event notification with zero text and zero content identifiers (col.20, lines 6-13).

11. As to claim 5, Boudou teaches the message comprises text with zero content identifiers (col.3, lines 1-12).

12. As to claim 6, Boudou teaches the message comprises zero text and one or more content identifiers that represent items in a data store (col.20, lines 6-13). Note the discussion in claim 1 above for rejection of connecting to the server computer.

13. As to claim 7, Boudou teaches the message comprises an object (col.1, lines 31-33).

14. As to claim 8, Boudou teaches the message is put into the message queue via a method of a class (col.3, lines 6-12; col.14, lines 25-35; and col.15, lines 33-35).

15. As to claim 9, Boudou teaches the message is retrieved from the message queue via a method of a class (col.3, lines 6-12 ; col.14, lines 25-35; and col.15, lines 33-35).

16. As to claim 10, the rejection of claim 1 is incorporated herein in full. Claim 10, however, further recites a second computer connected to the first computer and to the server computer in a datastore management system.

Boudou does teach in a datastore management system (e.g., the information system; fig.1) a second computer connected to the first computer (e.g., the nodes N are linked to one another; col.4, lines 12-27 and fig.1), but is silent on the connection of the first and second computers with a server.

Beck teaches a second computer connected to the first computer and to the server computer (fig.1 and associated text).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Beck and Boudou because Beck's teaching would have provided the capability for managing network resources in the multinodal information system.

17. As to claims 11-18, note the rejection of claims 2-9 above. Claims 11-18 are the same as claims 2-9, except claims 11-18 are apparatus claims and claims 2-9 are method claims.

18. As to claim 19, the rejection of claim 1 is incorporated herein in full. Claim 19, however, further recites the first and second computers and the server computer in a datastore management system. Note the discussion in claim 10 above for rejection of "the first and second computers and the server computer in a datastore management system."

19. As to claims 20-27, note the rejection of claims 2-9 above. Claims 20-27 are the same as claims 2-9, except claims 20-27 are program storage medium claims and claims 2-9 are method claims.

20. As to claim 28, the rejection of claim 1 is incorporated herein in full. Additionally, Boudou further teaches wherein when a body of the message comprises the text, the text is passed to the second application (col.1, lines 30-33 and col.3, lines 1-12), when the body of the message comprises the content identifier, objects are forwarded to the second application (col.17, lines 5-65), and when the body of a message comprises no the text and no the content identifiers the message is an event notification notifying the second application of an occurrence of an event (col.20, lines 6-13).

Art Unit: 2126

21. As to claim 29, Boudou teaches the content identifier identifies a search result (col.17, lines 5-65).

22. As to claim 30, Boudou teaches the system is a federated content management system (abstract and fig. 1).

23. As to claim 31, Boudou does not explicitly teach the first and second applications are client applications.

Beck teaches the first and second applications are client applications (fig.1 and associated text).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Beck and Boudou because Beck's teaching would have provided the capability for managing network resources in the multinodal information system.

24. As to claim 32, Boudou teaches the system is a distributed computing system (fig.1). Refer to discussion of claim 1 above for rejection of the server connects to at least one data storage.

25. As to claim 33, Boudou teaches the first and the second computers execute portals for messaging between the first and second applications (fig.11).

26. As to claim 34, refer to the discussion of claim 3 above for rejection.

27. As to claim 35, the rejection of claim 1 is incorporated herein in full. Additionally, Boudou further teaches the message comprises a text length value (col.3, lines 1-12) and a content identifier count value (col.17, lines 5-65).



28. As to claim 36, Boudou teaches the text length value identifies length of text (col.3, lines 1-12) and wherein the content identifier count value identifies a number of content identifiers in the message (col.17, lines 5-65).

29. As to claim 37, Boudou teaches when the text length value is zero and when the content identifier count value is zero, the message is an event notification (col.20, lines 6-13).

30. As to claim 38, Boudou teaches when the content identifier count value is greater than zero, the message further comprises at least one content identifier identifying an object from a heterogenous storage (col.17, lines 5-65).

### ***Response to Arguments***

31. Applicant's arguments filed on April 23, 2004 have been fully considered, but are deemed to be moot in view of the new grounds of rejection.

### ***Conclusion***

32. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.


33. Any inquiry concerning this communication or earlier communications from the examiner should be directed to VAN H NGUYEN whose telephone number is (703) 306-5971. The examiner can normally be reached on Monday-Thursday from 8:30AM - 6:00PM. The examiner can also be reached on alternative Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng-Ai An can be reached on (703) 305-9678.

The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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